

FILED
 08 AUG 18 PM 3:57
 RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

1
2
3
4
5
6

E-filing

JW

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Francis W. Davis

CV 08

3933

Plaintiff,

CASE NO. _____

vs.

Warden Ken Clark

PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS

Defendant.

(PR)

I, Francis W. Davis, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes No _____

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: \$0.65 x 150 hours equal \$97.50 a month. Net: Minus 65% gives me \$34.25 monthly.

Employer: I am employed by Prison Authority Industry (PIA).
I make \$0.65 an hour and we work 150 hours a month.

If the answer is "no," state the date of last employment and the amount of the gross and net salary

1 and wages per month which you received. (If you are imprisoned, specify the last place of
2 employment prior to imprisonment.)

3 _____
4 _____
5 _____

6 2. Have you received, within the past twelve (12) months, any money from any of the following
7 sources:

- 8 a. Business, Profession or Yes _____ No
9 self employment
- 10 b. Income from stocks, bonds, Yes _____ No
11 or royalties?
- 12 c. Rent payments? Yes _____ No
- 13 d. Pensions, annuities, or Yes _____ No
14 life insurance payments?
- 15 e. Federal or State welfare payments, Yes _____ No
16 Social Security or other govern-
17 ment source?

18 If the answer is "yes" to any of the above, describe each source of money and state the amount
19 received from each.

20 _____
21 _____

- 22 3. Are you married? Yes _____ No

23 Spouse's Full Name: _____

24 Spouse's Place of Employment: _____

25 Spouse's Monthly Salary, Wages or Income:

26 Gross \$ _____ Net \$ _____

- 27 4. a. List amount you contribute to your spouse's support : \$ _____
28 b. List the persons other than your spouse who are dependent upon you for support
PRIS. APPLIC. TO PROC. IN FORMA

1 b. List the persons other than your spouse who are dependent upon you for
 2 support and indicate how much you contribute toward their support. (NOTE:
 3 For minor children, list only their initials and ages. DO NOT INCLUDE
 4 THEIR NAMES.).

5 _____
 6 _____

7 5. Do you own or are you buying a home? Yes ___ No

8 Estimated Market Value: \$ _____ Amount of Mortgage: \$ _____

9 6. Do you own an automobile? Yes ___ No

10 Make _____ Year _____ Model _____

11 Is it financed? Yes ___ No ___ If so, Total due: \$ _____

12 Monthly Payment: \$ _____

13 7. Do you have a bank account? Yes ___ No (Do not include account numbers.)

14 Name(s) and address(es) of bank: _____

15 _____

16 Present balance(s): \$ _____

17 Do you own any cash? Yes ___ No ___ Amount: \$ _____

18 Do you have any other assets? (If "yes," provide a description of each asset and its estimated
 19 market value.) Yes ___ No

20 _____

21 8. What are your monthly expenses? *I'm in prison.*

22 Rent: \$ _____ Utilities: _____

23 Food: \$ _____ Clothing: _____

24 Charge Accounts:

Name of Account	Monthly Payment	Total Owed on This Acct.
\$ _____	\$ _____	\$ _____
\$ _____	\$ _____	\$ _____
\$ _____	\$ _____	\$ _____

9. Do

1 _____
2 _____
3 10. Does the complaint which you are seeking to file raise claims that have been presented in
4 other lawsuits?
5 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in which
6 they were filed.
7 _____
8 _____

Yes No

9 I consent to prison officials withdrawing from my trust account and paying to the court the
10 initial partial filing fee and all installment payments required by the court.

11 I declare under the penalty of perjury that the foregoing is true and correct and understand
12 that a false statement herein may result in the dismissal of my claims.

13 08-12-08

Francis W. Davis

14 DATE

SIGNATURE OF APPLICANT

16
17
18
19
20
21
22
23
24
25
26
27
28

To: Inmate Trust Account Office

CSATF State Prison

P.O. Box 5242

Corcoran, Ca. 93212-5242

From: Francis W. Davis #K-80609

CSATF State Prison

P.O. Box 5242 / D-2-104 Low

Corcoran, Ca. 93212-5242

Reason: Six month printout

Dear Trust Office Worker:

Would you please fill out
this form for me so I can submit it to the Court.
I will really appreciate your assistance with this
documentation. Thank You,

Dated: 07-29-08

Sincerely,

Francis W. Davis

2008 Jul 30 07:00:00

1
2 Case Number: _____
3
4
5
6
7
8
9

10 CERTIFICATE OF FUNDS
11 IN
12 PRISONER'S ACCOUNT

13 I certify that attached hereto is a true and correct copy of the prisoner's trust account
14 statement showing transactions of Francis Wayne Davis for the last six months at
15 [prisoner name]
16 CSATE where (s)he is confined.

17 [name of institution]

18 I further certify that the average deposits each month to this prisoner's account for the most
19 recent 6-month period were \$ 55.06 and the average balance in the prisoner's account
20 each month for the most recent 6-month period was \$ 68.42.

21 Dated: 7/31/08

22 Mr. Jordan

23 [Authorized officer of the institution]

24
25
26
27
28

CALIFORNIA DEPARTMENT OF CORRECTIONS
SATF/SP AT CORCORAN
INMATE TRUST ACCOUNTING SYSTEM
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: FEB. 01, 2008 THRU JUL. 30, 2008

BED/CELL NUMBER: FDB2T1000000104L
 ACCOUNT TYPE: I

ACCOUNT NUMBER : K80609
 ACCOUNT NAME : DAVIS, FRANCIS WAYNE
 PRIVILEGE GROUP: A

TRUST ACCOUNT ACTIVITY

TRAN	DATE	CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
------	------	------	-------------	---------	-----------	----------	-------------	---------

	02/01/2008							51.00
								BEGINNING BALANCE

02/01/08/07*VD50 INMATE-PAYROL 4006/01-08			63 .70	12.74	114.70
02/07 W215 FEDERAL FILIN 4035/1370				4.50	101.96
02/08 FC04 DRAW-FAC 4 4061/FAC-D					97.46
03/05*VD50 INMATE-PAYROL 4480/02-08			58 .22		155.68
03/05 W215 FEDERAL FILIN 4498/1370					11.64
03/05 FC04 DRAW-FAC 4 4519/FAC-D				22.15	144.04
03/25 W515 COPY CHARGE 4828/COPY				0.20	121.89
04/02 W415 CASH WITHDRAW 4906/BOOKS 300048027			106.00		121.69
04/07*VD50 INMATE-PAYROL 4946/03-08					15.69
04/07 W215 FEDERAL FILIN 4984/1370					70.10
04/16 W516 LEGAL COPY CH 5179/LCOPY				10.88	59.22
04/16 Document 2 W516 LEGAL COPY CH 5179/LCOPY				5.80	53.42
05/06*VD50 INMATE-PAYROL 5469/04-08			54 .27		107.69
05/06 W215 FEDERAL FILIN 5516/1370					3.12
05/07 FC04 DRAW-FAC 4 5534/FAC-D				3.90	104.57
05/12 W514 VISION CARE C 5638/REC'D				94.00	100.67
05/22 W516 LEGAL COPY CH 5835/LCOPY				6.67	94.00
05/27 FR01 CANTEEN RETUR 705878				2.75	94.00
06/05*VD50 INMATE-PAYROL 6049/05-08			3.90	3.90	94.00
06/05 W215 FEDERAL FILIN 6054/1370				3.90	94.00
06/06 FC04 DRAW-FAC 4 6069/FAC-D				2.75	94.00
07/01 W516 LEGAL COPY CH 0028/LCOPY				3.92	94.00
07/07*VD50 INMATE-PAYROL 0071/06-08			50 .76	7.82	94.00
07/07 W215 FEDERAL FILIN 0108/1370				56.82	94.00
07/08 FC04 DRAW-FAC 4 0129/FAC-D					94.00
07/08 W536 COPAY CHARGE 0143/16891					94.00

* RESTITUTION ACCOUNT ACTIVITY

CASE NUMBER:	193679
FINE AMOUNT:	\$ 10,000.00

DATE SENTENCED: 01/08/98	DATE	TRANS.	DESCRIPTION	TRANS. AMT.	BALANCE
DATE COUNTY CODE: SCL					
02/01/2008 BEGINNING BALANCE					8,968.20

Case 5:08-cv-03933-JW PAGE 8

Case 5:08-cv-03933-JW

Page 8 of 8

SATF/SP AT CORCORAN

INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: FEB. 01, 2008 THRU JULY 31, 2008
ACCT TYPE: 1

DEPARTMENTAL ACCOUNT ACTIVITIES

DATE SENTENCED: 01/08/98

* THIS STATEMENT DOES NOT REFLECT THE ADMINISTRATIVE FEE CHARGE THAT IS EQUAL TO TEN PERCENT OF THE RESTITUTION AMOUNT COLLECTED.

TRUST ACCOUNT SUMMARY

THE WITHIN INSTRUMENT IS A CORRECT
COPY OF THE TRUST ACCOUNT MAINTAINED
BY THIS OFFICE.

ATTEST: **JUL 30 2008**

CALIFORNIA DEPARTMENT OF CORRECTIONS

BY John J. Anderson

TRUST OFFICE

THE WRITTEN INSTRUMENT IS A CORRECT
ACCOUNT MAINTAINED